

ROCKINGHAM
STATE OF NEW HAMPSHIRE
SUPERIOR COURT

ROCKINGHAM, ss

2007 JUN -7 P 12:36

SUPERIOR COURT

Docket Nos. 07-S-1028-1031

State of New Hampshire

v.

John A. Brooks

**DEFENDANT'S ASSENTED-TO MOTION TO CONTINUE STRUCTURING
CONFERENCE**

Defendant John A. Brooks ("Defendant") hereby moves to continue the structuring conference that currently is scheduled in the above-captioned matter for June 12, 2007. The State assents to this Motion. In support of this Motion, Defendant submits as follows:

1. On April 26, 2007, the State obtained indictments charging Defendant with two counts of capital murder, one count of first degree murder, and one count of conspiracy to commit capital murder. Defendant waived formal arraignment, and on May 16, 2007, the Superior Court issued a Notice scheduling a structuring conference for June 12, 2007.
2. Pursuant to the American Bar-Association Guidelines for Death Penalty Cases, undersigned counsel have been conducting a diligent search for death penalty counsel who have substantial training and experience in such cases, and can assist Defendant in this matter. However, because the death penalty is so infrequently sought by any prosecuting authority in this geographic area, the search has necessarily extended nationally and taken substantial time.
3. Undersigned counsel expect to have completed efforts to retain death penalty counsel by the end of June 2007, and believe that having this individual's input at the scheduling conference will benefit Defendant, as well as the Court, in formulating the litigation schedule in this matter.

6/11/07

Motion granted. Structuring conference is
rescheduled to August 3, 2007 at 11 AM.

PC [Signature]

Defendant requests that the Court continue the structuring conference so that the defense can complete efforts to retain death penalty counsel.

4. Undersigned counsel has conferred with Assistant Attorney General Charles Keefe, who assents to the requested relief. Attorney Keefe advised that he is to begin a trial in a separate matter on June 18, and should be available for a scheduling conference in this case beginning with the week of July 9, 2007.

5. Accordingly, Defendant requests that this Court continue the structuring conference until the week of July 9 (exclusive of July 9), or such later date as the Court deems appropriate.

WHEREFORE, Defendant respectfully requests that the Court issue an Order:

A. Continuing the structuring conference for a date on or after July 10, 2007, or such later date as the Court deems appropriate; and

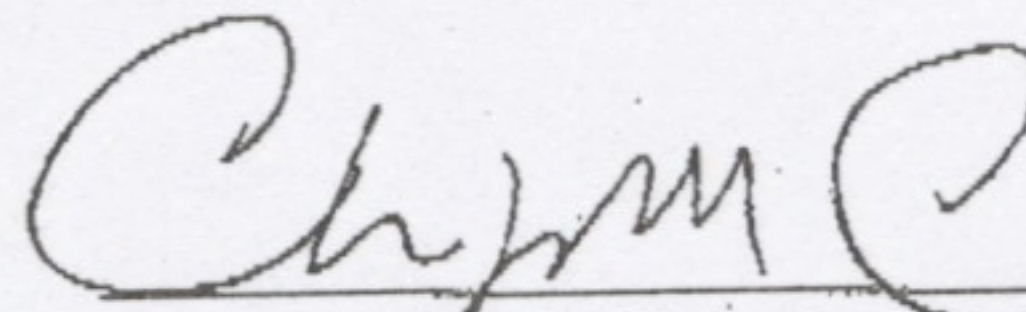
B. Granting such other relief as is just and proper.

Respectfully submitted,

JOHN A. BROOKS

By his attorneys

Dated: June 7, 2007



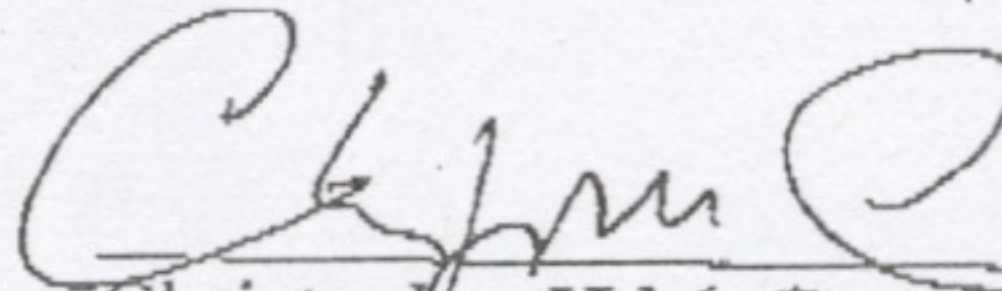
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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been delivered this date to all counsel of record.



Christopher H.M. Carter

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